

IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **Marvin Emery v Huck's Corners, Inc.**
Docket No. **273625**
L.C. No. **06-2096-CK**

Michael R. Smolenski, Judge, acting under MCR 7.217 and MCR 7.219(I), orders:

The claim of appeal in the above matter is **DISMISSED** for want of prosecution, appellants having failed to timely file the brief on appeal as directed by Amended Administrative Order 2004-5 ¶ 9(B)(4).

Alan R. Smith, retained counsel for appellants, shall pay to the Clerk of this Court additional costs in the sum of \$100 within 21 days of the certification of this order. The additional costs are assessed for continued failure to file the brief after the order issued on December 19, 2006. Amended Administrative Order 2004-5 ¶ 9(B)(4). Such costs are personal to the attorney and shall not be charged back to the client.

The Court further orders that the cross-appeal remains pending and the cross-appellant's brief shall be filed within 28 days from the Clerk's certification of this order.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

JAN 11 2007

Date

Sandra Schultz Mengel
Chief Clerk